

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KAITLIN ALLERTON,  
Plaintiff,

v.

RICHARDSON BAY REGIONAL  
AGENCY, et al.,  
Defendants.

Case No. [22-cv-04151-MMC](#)

**ORDER RE: PLAINTIFF'S  
APPLICATION FOR TEMPORARY  
RESTRAINING ORDER AND  
PRELIMINARY INJUNCTION;  
DIRECTING DEFENDANT MALCOLM  
TO SHOW CAUSE RE: PRELIMINARY  
INJUNCTION; SETTING BRIEFING  
SCHEDULE AND HEARING;  
DIRECTIONS TO PLAINTIFF**

Before the Court is plaintiff Kaitlin Allerton's ("Allerton") "Ex-Parte Application for Temporary Restraining Order and Preliminary Injunction to Stop the Imminent Destruction of My Boat the Silver Bow," filed July 15, 2022.

The Court, having read and considered the application, finds Allerton has shown the existence of serious questions going to the merits of her breach of contract claim against defendant Jim Malcolm ("Malcolm"),<sup>1</sup> that irreparable injury is likely in the absence of temporary injunctive relief, and that the balance of hardships weighs in her favor. Accordingly, Allerton's application is hereby GRANTED, as follows:

1. Malcolm is ordered to show cause, on July 22, 2022, at 2:30 p.m., in Courtroom 7, why an order should not be entered granting Allerton a preliminary injunction enjoining the disposal of Allerton's vessel, known as the "Silver Bow."

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<sup>1</sup> The record reflects that Malcolm is the only defendant who has been provided notice of the instant application. As to the defendants upon whom notice has not been provided, Allerton has not made the requisite showing under Rule 65(b)(1) of the Federal Rules of Civil Procedure.


2. Malcolm shall file and serve any opposition no later than 5:00 p.m.,  
Wednesday, July 20, 2022.

3. Pending the July 22, 2022 hearing, Malcolm and his agents are temporarily  
restrained from disposing of the Silver Bow.

4. Allerton is directed to serve Malcolm with a copy of this order no later than  
12:00 p.m., Monday, July 18, 2022, and to file proof of such service no later than  
Tuesday, July 19, 2022.

**IT IS SO ORDERED.**

Dated: July 15, 2022

  
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JON S. TIGAR for  
MAXINE M. CHESNEY  
United States District Judge

United States District Court  
Northern District of California